

Personnel

Payroll
Regulations

Overtime

POLICY:

- .01 The Laboratory reserves the right to require overtime work of employees. The Laboratory determines which activities qualify as time worked for the purpose of computing overtime. Nonexempt employees required to work more than 40 hours in a **workweek** are compensated with overtime pay. Overtime must be approved in advance and reported and paid according to actual hours worked. **Exempt employees are not entitled to overtime pay.**

**Time Included in
Overtime Computation**

- .02 The following times and activities are regarded as hours worked, for purposes of computing overtime ~~✕~~:
- Actual time worked. See [.08](#).
 - Time spent changing clothes at the beginning or end of a work period when special clothing is required for the performance of the job.
 - Providing services during civil emergencies, when approved. See [AM 322](#).
 - Class time for job-required education or training.
 - Class time for job-related education or training, when attendance is approved by the group-level manager. See [AM 401](#).
 - Time spent traveling to and from business destinations on official Laboratory travel. See [.03](#).
 - Laboratory holidays. See [AM 305](#).
 - Emergency activities, when approved. See [AM 322](#).
 - Voting time. See [AM 322](#).
 - Civil emergency preparedness activities, when approved. See [AM 322](#).
 - Fitness-for-duty evaluations. See [AM 322](#).
 - Blood donations. See [AM 322](#).
 - Report pay. See [AM 309](#).

Overtime

Meal periods of less than 30 minutes or of any length when the employee is not relieved of all duties and is not free to leave the work station (*see* [.12](#)).

Time spent on security-related activities. *See* [AM 322](#).

Absences for consultations and Laboratory activities. *See* [AM 322](#).

- .03 For nonexempt employees, the following activities are also considered time worked when performed outside of normal work hours:

Actual time worked.

Job-required training or education class time.

Job-related education or training class time, when attendance is approved by the group-level manager. *See* [AM 401](#).

Transportation time in connection with official travel, to the extent provided for in [.09-.11](#).

Time Excluded from Overtime Calculation

- .04 Time and activities not included in .02-.03 are excluded from hours worked when computing overtime. ✕

Unauthorized Overtime

- .05 Overtime work that is suffered or permitted must be paid whether the work was previously approved or not. Suffered or permitted work means any work performed by the employee for the benefit of the Laboratory, whether requested or not ✕. The supervisor may require the employee to submit documented evidence of acceptable work products to support a claim for unauthorized overtime pay. Unauthorized overtime work by nonexempt employees can result in disciplinary action against the employee and/or the manager.

Pay Computation

- .06 Except as noted in [.08](#) below, overtime pay is computed at 1.5 times the regular rate of pay for the given workweek for all overtime hours worked. Overtime is paid to the nearest quarter hour. Any work period of less than 7.5 minutes beyond the normal work schedule may be ignored.

Overtime

Sunday Work

- .07 Overtime pay for hours worked on Sunday, exceeding 40 hours total, is computed at 2 times the regular rate of pay if
- The employee has worked at least 4 hours on each of the 6 previous consecutive days & and
 - The employee has worked more than 40 hours total during the workweek (& See [.02-.03](#)).

Travel Time

- .08 When on official Laboratory travel, including travel for job-required training or education, nonexempt employees are paid for all time spent traveling to and from the official business destinations, except in the situations described in [.10](#) and [.11](#) below.
- .09 **Travel for Job-Related Training** — When overnight travel is performed for job-related training or educational purposes, an employee is paid only for the in-transit time that falls within the work hours of the last regularly-scheduled working day before the travel. For example, when an employee travels on a Friday that he or she is not scheduled to work, the employee is paid for any travel occurring during the hours that correspond to the hours that the employee was scheduled to work on the Thursday before the travel. For one-day travel for job-related training or educational purposes, however, an employee is paid for all time in transit, regardless of whether it falls within the employee's normal daily work hours.
- .10 **Personal Vehicle** — When an employee drives a personal vehicle for his or her own convenience, the employee is paid for the lesser of the actual time in transit or the time in transit if the employee had traveled by commercial air. Driving a personal vehicle to and from Albuquerque is not considered to be for personal convenience.
- .11 **Travel Between Home and Work Site** — If an employee comes to the normal work site before beginning official travel, the employee is not paid for the travel time between home and the work site.

Overtime

- | | | |
|---|-----|--|
| Rest or Meal Period | .12 | An uninterrupted rest or meal period of 30 minutes or more (but less than 6 hours) is not time worked unless the employee is not free to leave the assigned work station nor is it a break in work when calculating total hours worked in 1 day or during 1 shift. |
| Extension of Shift | .13 | An extension of a shift occurs when an employee is required to work continuously past the end of a scheduled shift or returns to work within 6 hours after the completion of a scheduled shift. The hours worked during the extension are paid at the same base rate in effect at the end of the scheduled shift. |
| Schedule Deviation | .14 | To maintain a 40-hour workweek, a group-level manager may make a temporary change in a nonexempt employee's established work schedule for the pay week in which overtime would otherwise be earned. <i>See</i> AM 326 . |
| General Work Limitations | .15 | No employee may work more than 16 hours in a 24-hour period, except in an emergency. <i>See also</i> AM 326 . |
| Work Limitations for Employees in Safety Related Job Functions | .16 | <p>Managers must maintain adequate shift coverage without regularly expecting employees to work beyond the percentage of time for which appointed. However, when unforeseen problems such as major maintenance, technical problems, or weather-related occurrences require substantial extra work, employees who perform safety-related functions, such as radiation workers, or chemical, mechanical, or electrical technicians and their supervisors, may work additional time on a temporary basis subject to the following limitations. Such employees must not work more than</p> <ul style="list-style-type: none">16 consecutive hours,24 hours in any 48-hour period,72 hours in any 7-day period, or14 consecutive days without having 2 consecutive days off. |

Overtime

If an employee is required to work in excess of 12 continuous hours, his or her duties should be carefully selected so that no assignment is made that could endanger the safe operation of the facility.

NOTE: These limitations apply to both exempt and nonexempt employees.

- .17 Generally, assignment of additional work time must be considered on an individual basis and not for the entire shift crew or working group (*See also* [AM 326.](#))
- .18 **Authorization for Deviation from Requirements** — Group-level management or higher authorizes any deviation from these limitations in advance, on a case-by-case basis, and must document the reason.
- .19 **Review** — The cognizant group-level manager reviews individual schedules and workload on a monthly basis to assure that excessive hours have not been worked.

APPROVAL:

- .20 The assignment of overtime work to nonexempt employees must originate with the group-level manager. The authority to assign overtime work may be delegated in writing to a team leader or other supervisor. Overtime entered in the Time and Effort System must be approved by group-level management or higher, and this approval cannot be delegated.

PROCEDURES:

.....

These procedures effective until further notice.

Request for Overtime

- .21 A request for overtime work should include an estimate of the number of hours to be worked in the average workweek.